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ORIGINAL

Our File Number 39888-00007

December 28, 2004

Via Hand-Delivery

Arizona Corporation Commission
Utilities Division - Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

Arizona Corporation Commission
DOCKETED

DEC 28 2004

DOCKETED BY	<i>LD</i>
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Re: Responses to Staff's First Set of Data Requests
Docket Nos: T-02719A-04-0760; T-04280A-04-0760

To Docket Control:

Attached are GE Business Productivity Solutions, Inc.'s and Business Productivity Solutions, Inc.'s responses to Staff's First Set of Data Requests in the above-referenced docket.

Very truly yours,

Michael T. Hallam

MTH/jw

Enclosures
cc: Adam Lebrecht
Jason Gellman

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2004 DEC 28 P 3:12
AZ CORP COMMISSION
DOCUMENT CONTROL

**GE BUSINESS PRODUCTIVITY SOLUTIONS, INC.'S AND
BUSINESS PRODUCTIVITY SOLUTIONS, INC.'S
RESPONSES TO STAFF'S FIRST SET OF DATA REQUESTS**

Docket Nos: T-02719A-04-0760 and T-04280A-04-0760

GE Business Productivity Solutions, Inc. ("GEBPS") and Business Productivity Solutions, Inc. ("BPS") (collectively, "Applicants"), hereby submit the following objections and responses to the First Set of Data Requests submitted by the Arizona Corporation Commission Staff ("Staff").

GENERAL OBJECTIONS TO ALL DATA REQUESTS

1. Applicants object to each and every Request to the extent it seeks information subject to the attorney-client privilege, work product doctrine or any other privilege recognized by the State of Arizona. In responding to these Requests, Applicants do not waive, but preserves, all such privileges.

2. Applicants object to each and every Request to the extent it seeks information that is confidential, sensitive, competitive in nature or proprietary to them. In responding to these requests, Applicants do not waive, but preserves, their claim that request for customer and market information is confidential.

3. Applicants object to each and every Request to the extent that it is unreasonably burdensome, overly broad or not reasonably calculated to lead to the discovery of admissible evidence.

4. Applicants object to each and every one of Staff's definitions and/or instructions to the extent it purports to abrogate any of Applicants' rights, or add to any of Applicants' obligations under, the Arizona Rules of Civil Procedure or the Commission's Rules.

5. Applicants object to each and every Request to the extent it is overly broad, unduly burdensome or imposes any burden not expressly permitted under Commission's Rules or the Arizona Rules of Civil Procedure.

6. Applicants object to each and every Request to the extent that it calls for information already in the possession, custody and control of Staff.

7. Applicants object to each and every Request to the extent it seeks information outside of Applicants' possession, custody or control.

8. Applicants expressly reserve the right to supplement or amend its objections and responses as necessary.

Applicants incorporate the foregoing General Objections into each response as if fully set forth therein.

Applicants' Responses to Staff's First Set of Data Requests
Docket No: T-02719A-04-0760/T-04280A-04-0760

SPECIFIC RESPONSES TO ALL DATA REQUESTS

1. Please indicate the service(s) the Applicant wishes to cancel its authority to provide.

RESPONSE: GEBPS seeks to cancel the authority granted in Decision No. 62410. As explained in the Joint Application, upon receipt of authority from the Commission, these services will then be provided by BPS.

2. Please indicate if the Applicant's performance bond (if required) is still valid.

RESPONSE: A performance bond was not required in Decision No. 62410.

3. Please indicate if the Applicant has ever collected advances, deposits and/or prepayments. Indicate if the advances, deposits and/or prepayments were returned to customers prior to the discontinuance of the service(s) indicated in questions No. 2.

RESPONSE: GEBPS has collected deposits in the past, but currently holds no deposits.

4. Please indicate when (year and month) the Applicant discontinued providing the services indicated in question No. 1.

RESPONSE: Services will not be discontinued until authorized in this proceeding. Upon authority to discontinue for GEBPS, these services will be provided by BPS as stated in the Joint Application.

5. Please indicate the number of residential and business customers the Applicant had in the Applicant's last month of providing service.

RESPONSE: 559 residential customers and 73 business customers.

6. Please indicate if there are any affiliates of the Applicant currently offering telecommunications service in Arizona.

RESPONSE: At this time, Advanced TelCom, Inc. ("ATI") and Shared Communications Services, Inc. ("SCS"), both certificated to provide services in Arizona, are affiliates of GEBPS. As explained in the Joint Application, however, as part of a separate transaction, Eschelon Telecom, Inc. ("ETI") entered into a Stock Purchase Agreement with the parent company of ATI and SCS, Advanced TelCom Group, Inc. Following the closing of that transaction, ETI will be the ultimate parent company of SCS and ATI. For purposes of this response, Applicants have used the definition of "affiliate" set forth in AAC R14-2-801.

7. Please indicate any other states the Applicant is currently providing the telecommunications services indicated in question No. 2.

RESPONSE: Requests for approval or notifications of this same transaction were filed in every state, except Alaska. In the following states, approval is still pending at this time.

Alabama	Connecticut	Hawaii
Illinois	Kansas	Kentucky
Louisiana	Maine	Minnesota
Mississippi	Nevada	New Hampshire
South Dakota	Vermont	Washington
West Virginia		

8. Please provide a copy of the legal notice of the Application to cancel in all counties affected by the Application. Counties affected are those that the Applicant is certificated to provide service in. Refer to Arizona Administrative code R14-2-1107(B).

RESPONSE: See attached Affidavit of Publication.

PUBLIC NOTICE OF THE APPLICATION FOR A TRANSFER OF A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM GE BUSINESS PRODUCTIVITY SOLUTIONS, INC. TO BUSINESS PRODUCTIVITY SOLUTIONS, INC. TO PROVIDE COMPETITIVE RESOLD INTEREXCHANGE TELECOMMUNICATIONS SERVICES

Docket Nos. T-02719A-04-0760 and T-04280A-04-0760

GE Business Productivity Solutions, Inc. ("GEBPS") and Business Productivity Solutions, Inc. ("BPS") jointly the "Applicants") have filed with the Arizona Corporation Commission ("Commission") an application for transfer of GEBPS' Certificate of Convenience and Necessity ("Certificate") to provide competitive resold interexchange telecommunications services in the State of Arizona to BPS. BPS will be required by the Commission to provide this service under the rates and charges and terms and conditions established by the Commission. State law and Commission regulations provide that the Commission may act on this Application without a hearing, or with a hearing, if one is requested by any party. A party must request a hearing within thirty (30) days of the date of this notice, or the Commission will rule on the Application without a hearing. The Application, report of the Commission's Utilities Division Staff, and any written exceptions to the Staff report prepared by the Applicants are available for inspection during regular business hours at the offices of the Commission located at 1200 West Washington Street, Phoenix, Arizona, 85007, and BPS' offices at 730 Second Avenue South, Suite 900, Minneapolis, MN 55402. Under appropriate circumstances, interested parties may intervene in the proceedings and participate as a party. Intervention shall be in accordance with the A.A.C. R14-3-105, except that all motions to intervene must be filed on or within thirty (30) days of the date of this notice. You may have the right to intervene in the proceedings, or you may make a statement for the record. If you have any comments, mail them to: The Arizona Corporation Commission Attention: Docket Control Re: GE Business Productivity Solutions, Inc./Business Productivity Solutions, Inc. Docket Nos. T-02719A-04-0760; T-04280A-04-0760, 1200 West Washington Street, Phoenix, Arizona 85007. All comments should be received within thirty (30) days of the date of this notice. If you have any questions about this Application or have any objections to its approval, you may contact Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007, or call 1-800-222-7000. The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Yvonne McFarlin, ADA Coordinator, voice phone number 602-542-3931, e-mail YMcFarlin@cc.state.az.us. Requests should be made as early as possible to allow time to arrange the accommodation.

04545-November 5, 2004

THE ARIZONA REPUBLIC

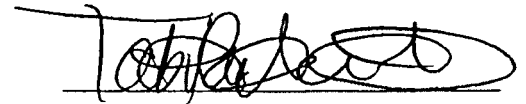
STATE OF ARIZONA
COUNTY OF MARICOPA } SS.

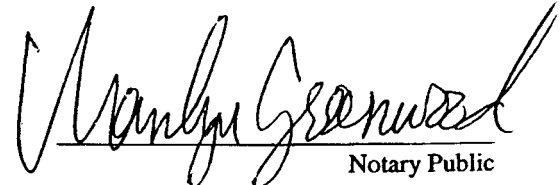
Tabitha Antoniadis, being first duly sworn, upon oath deposes and says: That she is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

November 5, 2004

Sworn to before me this
5TH day of
November A.D. 2004





Notary Public